

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

MM Docket No. 93-296

QUADRAS, INC.

Licensee of Station KDEW-AM
DeWitt, Arkansas

Order to Show Cause Why the
License for Station KDEW-AM
DeWitt, Arkansas Should
Not be Revoked

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Honorable Walter C. Miller
Administrative Law Judge

MOTION FOR SUSPENSION OF PROCEDURAL DATES

Quadras, Inc. ("Quadras"), by Counsel, hereby respectfully moves the Presiding Judge to suspend all procedural dates set forth in his *Prehearing Order*, FCC 93M-733 (released December 1, 1993). In support hereof, the following is shown:

1. In order to resolve this proceeding at an early date and obviate the requirement of a formal hearing before the Presiding Judge, Quadras has reached an agreement in principle for the distress sale of Radio Station KDEW-AM. Attached hereto as Exhibit No. 1 is a letter dated December 22, 1993 from John C. Trent, Esquire (Counsel to Max H. Pearson) to Cary S. Tepper, Esquire (Counsel to Quadras) wherein the following is stated:

- That Max H. Pearson, a Native American, has reached an agreement in principle to purchase Radio Station KDEW-AM pursuant to the Commission's Distress Sale Policy.

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- That Mr. Pearson is ready, willing and able to purchase Radio Station KDEW-AM.
- That the Commission has recently passed upon Mr. Pearson's qualifications to become a Licensee *vis-a-vis* his FCC applications to acquire Radio Stations KBCN-FM, KERX-FM , KTRI-FM and KDEW-FM.

2. Mr. Trent's letter indicates that an exact sale price for Radio Station KDEW-AM is still being negotiated. The uncertainty of the sale price at this time stems solely from the parties efforts to comply with the Commission's distress sale policy criteria -- namely that the sale price not exceed 75% of the station's fair market value based upon recent appraisals. *See e.g., Lee Broadcasting Corp., 47 RR 2d 316 (1980).* Quadras and Pearson will immediately take steps to obtain an appraisal of Radio Station KDEW-AM, and determine an exact sale price in accord with Commission policy.

3. At the time Quadras submits its application for assignment of the KDEW-AM license to Pearson, Quadras will submit all the requisite supporting documentation, including but not limited to, a current appraisal of KDEW-AM, a formal Asset Sale Agreement and a Declaration from Pearson indicating his willingness to resume broadcast operations on KDEW-AM.

4. Quadras and Pearson will be working diligently in the near future to prepare and execute all of the documentation required for the distress sale of Radio Station KDEW-AM. Quadras requests the Commission's indulgence until **January 11, 1994**, at which time Quadras expects to file its

assignment of license application and supporting documentation.

5. Should this Motion be approved, the relief requested herein would dispose of the need for any hearing in this proceeding. The public interest would be served by the proposed suspension of procedural dates in that it would conserve the resources of the Commission and the parties, and avoid burdening the Record with unnecessary papers. Such action would also be consistent with, and further Congress' intent in the *Paperwork Reduction Act of 1980*.

6. The Hearing Branch was notified yesterday, via a telephone discussion, that Quadras would be filing this Motion on this date.

WHEREFORE, the foregoing premises considered, Quadras respectfully urges the Presiding Judge to SUSPEND all procedural dates in this proceeding until January 11, 1994.

Respectfully submitted,

QUADRAS, INC.

**Meyer, Faller, Weisman
and Rosenberg, P.C.**
4400 Jenifer Street, N.W.
Suite 380
Washington, D.C. 20015

By: 
Cary S. Tepper, Esq.

Its Counsel

(202) 362-1100

December 23, 1993

EXHIBIT No. 1

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Keith E. Putbreso
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December 22, 1993

Via Facsimile

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Cary S. Tepper, Esq.
Meyer, Faller, Weisman & Rosenberg
4400 Jenifer Street, N.W., Ste. 380
Washington, D.C. 20015

Re: Radio Station KDEW (AM), DeWitt, AR

Dear Mr. Tepper:

On behalf of Max H. Pearson, this is to notify you of his intention to enter into an agreement with Quandras, Inc. for the acquisition of assets of Radio Station KDEW (AM), DeWitt, Arkansas.

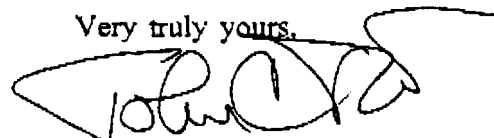
Mr. Pearson is qualified to purchase and operate a radio broadcast facility. His qualifications have been passed upon by the Commission in his acquisition of Radio Station KBCN (FM), Marshall, Arkansas (BALH-930305GG), and by the recently approved applications for assignment of license of KERX (FM), Paris, Arkansas (BALH-930806GF)(not yet consummated) and KTRE-FM, Mansfield, Missouri (BALH-931020GF)(not yet consummated). Mr. Pearson has on file with the Commission an application to purchase the assets of Radio Station KDEW-FM, DeWitt, Arkansas from your client (BAPLH-930806GG) which is pending Commission approval.

We understand that the FCC has issued a *Show Cause Order* as to whether the License of KDEW (AM), should be revoked. Mr. Pearson is ready, willing and able to purchase this AM facility pursuant to the Commission's *Distress Sale Policy*. This policy is applicable to Mr. Pearson who is a minority -- *Native American*.

Upon the determination of the distress sale price, Mr. Pearson agrees to proceed with your client in the filing of an application for assignment of license of Radio Station KDEW (AM), DeWitt, Arkansas.

Should there be questions regarding this matter, please contact this office.

Very truly yours,



John C. Trent

cc: Max H. Pearson

CERTIFICATE OF SERVICE

I, Cary S. Tepper, Esquire, hereby certify that on this 23rd day of December, 1993, I have served a copy of the foregoing **"Motion for Suspension of Procedural Dates"** first-class, postage-prepaid, on the following:

*Hon. Walter C. Miller
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 213
Washington, D.C. 20554

*Paulette Laden, Esq.
Hearing Division, Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7212
Washington, D.C. 20554


Cary S. Tepper, Esq.

*denotes Delivery By Hand